

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FREE SPEECH COALITION, INC., *et al.*,

Plaintiffs,

v.

JAMES M. LEBLANC, *in his official capacity as* SECRETARY OF THE LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, *et al.*,

Defendants.

Civil Action

No. 23-02123

Judge Susie Morgan

Magistrate Judge Donna Phillips Currault

Section “E” (2)

DECLARATION OF DR. GAIL DINES

I, Gail Dines, Ph.D., under 28 U.S.C. § 1746, declare as follows:

1. I am over eighteen years of age and have personal and professional knowledge of the facts set forth in this Declaration.

2. I am President and CEO of Culture Reframed, a nonprofit organization dedicated to building resilience and resistance in youth to hypersexualized media and porn.

3. I am also a Professor Emerita of Sociology and Women’s Studies at Wheelock College in Boston, Massachusetts. (Wheelock College merged with Boston University in 2018)

4. I have been researching and writing about the porn industry and sexual violence for over 30 years. For my work, I received the Myers Center Award for the Study of Human Rights in North America. I was also named as one of the top 10 most influential women sociologists in the last 10 years by Academic Influence.¹

5. I have devoted my professional life to studying the effects of pornography on children and adults. I have written numerous articles and my latest book, *Pornland: How Porn Has Hijacked our Sexuality*,² has been translated into 5 languages. Given my professional expertise

I am well-positioned to speak to the harms of pornography on young people from a social-scientific stance.

Age of Children First Viewing Pornography

6. Pornography has now become the major form of sex education for children.³ Studies show that a majority of adolescents (90+% of boys and 60+% of girls) are exposed to pornography at some point in their teenage years,⁴ with 11 being the average age of first exposure, usually on a digital device accessible within the home.⁵ Exposure is often accidental or unwanted⁶ as a result of advertisements, misspelled searches, and “redirections.”⁷ According to a 2019 study by the British Board of Film Classification, “Children see pornography as young as seven.”⁸

7. The majority of the most popular porn website are called Tube Sites, and much like YouTube, the vast amount of content is free, and requires no Age Verification. Any child with a mobile device can access the mainstream hardcore pornography in a matter of seconds.

Content of Mainstream Pornography

8. It is a mistake to think of Playboy, Penthouse, or even Hustler when discussing the contemporary porn online porn industry. Dominated by Mindgeek,⁹ a company located in Quebec, with offices all over the world, this huge enterprise owns most of the popular porn sites, including its flagship porn site, Pornhub (see section below on the porn industry for further discussion). Rather than the images of yesterday, which showcased pinup pornography, today’s mainstream pornography is violent, body-punishing, and cruel.¹⁰

9. The obvious next question is what are children seeing when they are exposed to pornography. Spanking, gagging, slapping, hair pulling, and choking are the five most common forms of physical aggression shown in pornography. Women are the target of the aggression in

97% of the scenes, and their response to aggression was either neutral or positive and rarely negative.¹¹

10. The industry has seen a dramatic increase in what is commonly called “choking” but is in reality defined by medical science as “nonfatal strangulation” which poses grave neurological harms to victims, including unconsciousness, brain injury, seizure, motor and speech disorders, memory loss, and post-traumatic stress disorder (PTSD).¹²

11. Some Pornhub videos also show scenes of rape. Although Pornhub claims that all the videos they upload feature consensual sex, there are tags that intentionally misspell the word consensual as “consesual,” to avoid legal action. In July 2023, there were over 200,000 videos in the “Un Consesual” category, and 198,000 videos in the “Non Consesual Porn Porn videos.”¹³ The theme of the videos, as the name suggests, is forcing sex on an unwilling woman. This normalizes rape for the consumers, especially children, who are more likely to believe that the violence being played out is real, rather than staged¹⁴.

12. In its latest “Year in Review,” Pornhub (2022)¹⁵ announced that the most popular search term on the site was “hentai.” In January 2023 Pornhub hosted more than 109,000 hentai videos, some with more than five million views. The term is an English loanword from a Japanese phrase that in the early 20th century came to mean ‘sexual perversion.’

13. In the West today, hentai refers to pornified renditions of anime, the distinctive, colorful, action-packed style of Japanese animation much beloved by kids everywhere. In fact, the characters in hentai typically *look* like kids, except for their enlarged breasts and genitals. They are typically entangled in brutal, often monstrous sex. The latter is literally true, since a common theme in hentai is a grotesque creature penetrating a girl with an enormous phallus or tentacle. The

sexual violence in hentai is so extreme that in real life it would result in the bloody harm and death of the women and children so victimized.¹⁶

14. A study by the British Board of Film Classification or BBFC (2022)¹⁷, an independent regulatory agency, examined online computer-generated or drawn images – cartoons and animation - depicting the sexual abuse of children and child-like characters. A key finding of the report was that “children aged 6-12 are,” compared to adults, “disproportionately exposed to pornography sites specializing in non-photographic content”. That content mainly consists of hentai - the very content prominently featured on Pornhub.

15. Hentai, as the BBFC report stated, promotes “an interest in abusive relationships.” Much of the hentai available on free porn sites consists of characters from movies, television, games, and the internet “likely to be familiar or appealing to children.” In fact, Pornhub features cartoons, animation, and costumed skits drawn from a wide range of children’s entertainment and games.

16. Another popular theme in hentai is incest, which almost always involves depictions of children. I googled “hentai incest” in January 2023 and received 5.4 million results. The latter was hosted by Hentai.tv, which displayed advertisements for Brazzers, another MindGeek company that also has its own Pornhub channel.

Research exploring the Social, Emotional, Cognitive and Sexual Harms of Pornography on Young People

17. Peer-reviewed research continues to deepen and validate our knowledge of the harms of pornography. The habitual viewing of pornography remains linked to a host of mental health afflictions, such as depression, dissociation (“become increasingly detached from both their

own feelings and reality”), and behavioral problems such as sexual impulsivity.¹⁸ Studies show that many young people are so obsessed with porn that they continue to watch it even though they know that what they are seeing is unreal, wrong in the offline world, and goes against their own values. Porn is not only violence against women. But it is violence against the self. And against others, of course, since adolescent users of porn are at a higher risk of perpetrating intimate partner cyberstalking.¹⁹ They also “have lower degrees of social integration...and decreased emotional bonding with caregivers.”²⁰

18. Studies also show that both young men and young women emulate in their own lives what they see in pornography. This is especially true for sexual strangulation,²¹ verbal or physical sexual coercion,²² and dating violence.²³ In a study from the UK, 42% of 15-16 year olds expressed the desire to mirror pornography – and more than half of all boys believe that online porn depicts realistic sexuality.²⁴

19. The latter point is especially troubling since, as a recent study concluded, “far from being represented as aberrant, sexual practices involving coercion, deception, non-consent and criminal activity are described in mainstream online pornography in ways that position them as permissible.”²⁵ One study cautioned that “*any* pornography use resulted in a significantly greater likelihood of physically coercive behavior.”²⁶

20. Recent study after recent study has shown that viewing pornography leads young people, especially boys, to engage in sexual aggression.²⁷

21. Research also shows that minors who view porn are at a higher risk of adult perpetration of child sexual abuse and seeking out illegal child porn.²⁸ They are more likely to display hypersexualization and to develop paraphilias (e.g., exhibitionism, voyeurism).²⁹

22. For girls, early internet exposure to porn is a risk factor for later suffering sexual abuse, sexual coercion, and sexual aggression.³⁰ Frequent use of pornography is linked to young people perpetrating face-to-face bullying and online cyberbullying.³¹

23. Adolescents and teens who view porn are more likely to use illegal drugs, alcohol, and tobacco as well as rule-break more generally, such as skipping school.³²

24. Higher porn use predicts adolescent and teen sexting (texting nude and semi-nude photos), including the non-consensual sharing of intimate photos (“revenge porn”).³³ In many countries, including the US, it is illegal for minors to possess or share naked photos of other minors. The rise of teen sexting is directly tied to the ongoing prevalence of pornography.³⁴

25. Adolescent porn users often lack the social-emotional skills to say no to unhealthy relationships and unwanted sex. They rate themselves poorly at choosing trustworthy partners, communicating how they want to be treated, setting limits and realistic expectations, and making decisions rather than letting things happen.³⁵

26. Regular adolescent porn consumers are more likely to use the internet continuously and compulsively, to the detriment of everyday life. Symptoms of this addiction can include irritability, poor social functioning, impulsiveness, and social anxiety.³⁶

27. Advances in brain science are also increasing our awareness of the harms of pornography. The under-developed adolescent brain is particularly susceptible to the content of porn,³⁷ which can lead to dysfunctional stress responses and poor executive function, including impairments to judgment, memory, and emotional regulation.³⁸

28. Early use of porn may trigger adolescent depression and psychosomatic symptoms (e.g., headache, irritability, trouble sleeping). Unhappy adolescents may turn to porn for “mood management,” leading to further dysfunction and negative effects on their mental health.³⁹

29. Porn continues to teach young people that sexism and misogyny are acceptable. Adolescent boys who consume porn are more likely to value girls and women only for their appearance and willingness to satisfy men's desires, to believe that it is more important for women to be pretty than smart, and that women should learn to obey men.⁴⁰

30. Both boys and girls who view porn are more accepting of sexual violence against women and rape myths (e.g., the victim asked for it, or wanted it). They are also more likely to trivialize sexual aggression.⁴¹

31. Girls who view porn may develop distorted and unrealistic expectations about the appearance of a normal woman's body, thus impairing the healthy development of their self-esteem.⁴² Girls who view porn, too, may internalize the message that women are supposed to play only a "supporting role" in sex, thus compromising their own agency.⁴³

32. In addition, there is considerable research showing that pornography users, especially young people, say that over time they need to view more extreme and violent porn in order to reach the same sexual satisfaction.⁴⁴

Conclusion

33. The evidence presented in this declaration demonstrates the urgent need for an age verification law in Louisiana to address the pervasive harms of pornography on young people. The research findings, supported by a large body of peer-reviewed scientific studies from multiple disciplines, clearly highlight the detrimental effects of pornography on the social, emotional, and cognitive well-being of children and adolescents.

34. One of the most alarming revelations is that pornography has become the major form of sex education for children, with the average age of first exposure being as young as 11. The easy accessibility of pornographic content through digital devices, coupled with the violent

and non-consensual nature of mainstream pornography, creates a toxic environment for young minds.

35. Children are being exposed to explicit acts of violence, coercion, and sexual aggression, which normalizes and perpetuates harmful behaviors against them, and increasingly, by them (especially boys) as perpetrators.

36. The research unequivocally demonstrates that pornography consumption is associated with a range of negative outcomes for young people. These include promoting coercive behavior, sexual violence, depression, drug and alcohol abuse, cyberbullying and cyberstalking. The addictive nature of pornography leads to poor social integration, poor academic and work performance, and impaired social functioning.

37. Furthermore, the findings reveal that pornography viewers, especially boys, are more likely to emulate what they see in pornography, including sexual strangulation, verbal or physical coercion, and dating violence. The normalization of abusive and non-consensual sexual practices in mainstream pornography contributes to a distorted perception of healthy relationships and consent among young people.

38. Importantly, the research highlights the alarming connection between pornography consumption and the perpetration of child sexual abuse. Minors who view pornography are at a higher risk of engaging in illegal activities such as seeking out child pornography and developing paraphilias. For girls, early exposure to pornography increases the likelihood of suffering sexual abuse, coercion, and aggression.


39. The porn industry is highly concentrated and lightly regulated, and dominated by the company MindGeek, which owns Pornhub and many other sites that offer vast amounts of free images and videos. The company has been associated with cases of child exploitation, non-

consensual images, and sex trafficking. The industry facilitates individual and societal harms through its dominance in the online pornography market and its cynical efforts to masquerade as a bastion of free speech.

40. The findings presented in this declaration are supported by a wealth of scientific research, demonstrating the harmful impact of pornography on young people. It is essential to prioritize public health and safeguarding the well-being of our youth by implementing age verification laws that restrict minors' access to harmful pornographic content, thereby mitigating the negative impacts on their mental, emotional, and social development.

41. The age verification laws will help to protect the development and healthy growth of future generations, empowering them to form healthy relationships, promote consent, and foster a society free from the damaging effects of pornography

Executed on this 16th day of July, 2023, in the United States, Massachusetts.

A handwritten signature in black ink, appearing to read "Gail Dines". The signature is written in a cursive, flowing style.

Gail Dines, PhD.

¹ <https://academicinfluence.com/rankings/people/women-scholars/sociology>

² <http://www.beacon.org/Pornland-P891.aspx>

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⁹ <https://www.newyorker.com/magazine/2016/09/26/making-sense-of-modern-pornography>

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¹⁵ <https://www.pornhub.com/insights/2022-year-in-review>

¹⁶ Dines, G., & Sanchez, M. (2023). Hentai and the Pornification of Childhood: How the Porn Industry Just Made the Case for Regulation. *Dignity: A Journal of Analysis of Exploitation and Violence*, 8(1), 3.

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¹⁸ See, e.g., Bernstein, S., Warburton, W., Bussey, K., & Sweller, N. (2023). Mind the Gap: Internet Pornography Exposure, Influence and Problematic Viewing Amongst Emerging Adults. *Sexuality Research and Social Policy*, 20(2), 599-613; Castro-Calvo, J., Cervigón-Carrasco, V., Ballester-Arnal, R., & Giménez-García, C. (2021). Cognitive processes related to problematic pornography use (PPU): A systematic review of experimental studies. *Addictive Behaviors Reports*, 13, 100345; Alexandraki, K., Stavropoulos, V., Anderson, E., Latifi, M. Q., & Gomez, R. (2018). Adolescent pornography use: A systematic literature review of research trends 2000-2017. *Current Psychiatry Reviews*, 14(1), 47-58.

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